

Appln. No. 10/690,293

Attorney Docket No. 10541-1880

II. Remarks

Claims 1, 3-7, 9, 10, and 12 stand rejected. Claim 1 is being amended, and claim 6 is being cancelled. Accordingly, after entering the above amendments, claims 1, 3-5, 7, 9, 10, and 12 remain pending.

Specifically, as amended, claim 1 is directed to a window assembly that includes a window with an opening and a flange attached to a lower region of the window. An upper surface of the flange is substantially parallel to a bottom edge of the opening and is at a higher elevation relative to the bottom edge of the opening to prevent contact between cargo extending through the opening and the bottom edge of the opening. Further, the upper surface of the flange is contoured along a portion of the length of the flange. That is, the central region of the flange along its length is lower than the side portions of the flange. Support for amendment to claim 1 can be found at least at page 5, paragraphs 16 and 17, and in FIGs. 2A and 2B.

Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

Claim Rejections - 35 U.S.C. §102(e)

Claims 1, 3-7, 9, 10, and 12 have been rejected under 35 U.S.C. §102(e) as being anticipated by 2003/0213179 A1 to Galer (Galer).

Galer discusses a window assembly (10) with a fixed pane (12), which includes an opening (15) that is opened and closed by a sliding pane (14)

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| BRINKS |
| HOFER |
| GILSON |
| LIONE |

BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599

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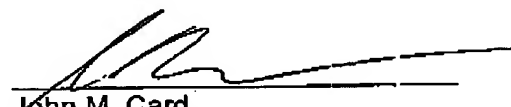
along a pair of rails (16,18) mounted on the rear surface of the fixed pane (12). The opening (15) in the fixed pane (12) is contoured at its corners, as shown in FIGs. 1 and 2. The upper surface of the bottom rail (18), however, is flat along the length of the rail; that is it is not contoured. Accordingly, Gale does not teach a flange with an upper surface that is contoured along a portion of the length of the flange, as now required by amended claim 1.

Since Gale does not teach each and every element of claim 1, reconsideration of the rejection under 35 U.S.C. §102(e) and allowance of claim 1 are respectfully requested. Further, since claims 3-6, 7, 9, 10, and 12 depend from claim 1, directly or indirectly, the reasons for allowance of claim 1 apply as well to the dependent claims.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1, 3-5, 7, 9, 10, and 12) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

Dated: September 20, 2005
John M. Card
Reg. No.: 48,423
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(734) 302-6000



BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599